

PATENT
05-10022

IFGJ 3264

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Randi L. Black

Serial Number: 09/152,992

Examiner: Michael A. Brown

Filed: 9/14/1998

Art Unit: 3764

For: PROSTHETIC DEVICE

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FIRST CLASS MAILING

Dear Sir or Madam:

Enclosed herewith is the following:

1. Information Disclosure Statement;
2. PTO 1449 Form (2 pages) listing 13 references; and
3. Return Post Card.

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Respectfully submitted,

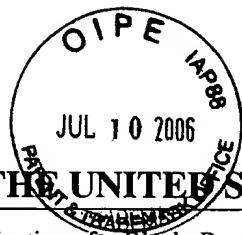
LAW OFFICES OF DAVID L. HOFFMAN



David L. Hoffman
Reg. No. 32,469

Date: July 7, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Black, Randi L.

Application Number: 09/152,992

Examiner Michael A. Brown

Filed: September 14, 1998

(for parent): Art Unit: 3764

For: PROSTHETIC DEVICE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir or Madam:

In accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, disclosure is made of the following known related art listed in the accompanying Information Disclosure Citation, Form PTO-1449. Any marks made upon submitted copies of such listed art should not be interpreted as emphasizing or indicating as relevant portions of such marked related art. Often, such marks are made on the original documents by unknown third parties and so are not applicable to the present invention.

Applicant hereby cites the patents and/or publications on the attached form for consideration by the Patent and Trademark Office in regard to the claimed invention. By this notice, Applicant requests that the Patent and Trademark Office make of record the documents listed. No representation is made that more pertinent material is not available or should not be considered by the Examiner. It is expected that the Patent and Trademark Office will independently conduct a complete search of appropriate prior art. Furthermore, no admission is being made that these documents are prior art, and Applicant reserves the right to challenge any such conclusion.

Among other reasons, none of the enclosed references would render the present claims anticipated or obvious:

1. Tachet U.S. Patent No. 2,131,457 – underside of breast for support.
2. Panighini U.S. Patent No. 2,793,369 – underside of breast for support; does not appear to cover nipple area; shell does not taper; about 1/5 size of breast (col. 2, lines 10-11).
3. Morgan U.S. Pat. No. 3,276,449 – band-aid like and a replacement for a brassiere or bikini bathing suit.
4. LeJeune U.S. Patent No. 4,343,313 – does not cover nipple and is for support.
5. Wynants U.S. Patent No. 3,749,102 – a cone-shaped brassiere cup with a nipple opening.
6. Williams U.S. Patent No. 3,728,079 – breast support showing an exposed nipple.
7. D'Or U.S. Patent No. 2,869,553 – disposable brassiere with support providing flaps 25 underneath breast cup.
8. Diaz U.S. Patent No. 4,992,074 – like no. 8 above.
9. Fashion Forms Peel-n-Stick Cups product packaging – strapless bra cups.
10. Valentin U.S. Patent No. 6,383,055 – strapless bra.
11. Pankey U.S. Patent No. 3,280,818 – strapless bra with under breast support strip
- 15.
12. Chong U.S. Patent No. 6,814,648 – strapless bra.
13. “Silicone Enhancers” products sheet and literature, by Fashion Forms, Ventura, CA, July, 1997 – breast enhancement pillows.

Nothing herein is an admission as to a publication date or as to whether any of the submitted material is prior art or if subsequent to the invention of the subject application, is not an infringement.

TIMELINESS

This information disclosure statement is being filed after the mailing of a first office action and after three months from the filing date, but before a Notice of Allowance and before a final official action.

Below is a statement under 37 CFR § 1.97(e):

No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Should there be any remaining or further questions, the Examiner is requested to please contact the undersigned directly. It is not believed that any additional fees are due. However, in the event additional fees are due, the Examiner is hereby authorized to charge the enclosed credit card authorization for any deficiency, or credit it for any excess payment.

Respectfully submitted,

LAW OFFICES OF DAVID L. HOFFMAN



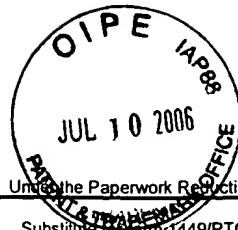
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Date: **July 7, 2006**

Law Offices of David L. Hoffman
27023 McBean Parkway, Ste. 422
Valencia, California 91355
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(661) 775-9423 fax

Enclosure

PTO 1449 Form w/cited references



PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
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Substitute ISEL Form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of 2

Complete if Known

Application Number	09/152,992
Filing Date	Sept. 14, 1998
First Named Inventor	Randi L. SCHLINDER
Art Unit	3764
Examiner Name	Michael A. Brown

Attorney Docket Number 05-10022

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (<i>if known</i>)			
1	US- 2,131,457		09-27-1938	J. Tachat	
2	US- 2,728,079		12-27-1955	A.L. Williams	
3	US- 2,793,369		05-28-1957	F. Panighini	
4	US- 2,869,553		01-20-1959	N. D'Or	
5	US- 3,276,449		10-04-1966	B.D. Morgan	
6	US- 3,280,818		10-25-1966	G. L. Pankey et al.	
7	US- 3,749,102		07-31-1973	Wynants	
8	US- 4,343,313		08-10-1982	Le Jeune	
9	US- 4,992,074		02-12-1991	Diaz	
10	US- 6,231,424 B1		05-15-2001	Valentin	
11	US- 6,758,720 B2		07-06-2004	Chen	
12	US- 6,814,648 B2		11-09-2004	Chong	
	US-				

FOREIGN PATENT DOCUMENTS

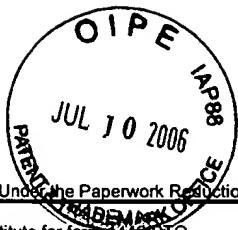
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>)				

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Complete if Known

Application Number	09/152,992
Filing Date	Sept. 14, 1998
First Named Inventor	Randi L. Schlinder
Art Unit	3764
Examiner Name	Michael A. Brown

Sheet 2 of 2 Attorney Docket Number 05-10022

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	13	FASHION FORMS, Silicone Enhancers, (1997), 11 pages, Ventura, California	

Examiner Signature	Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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